

110TH CONGRESS  
1ST SESSION

# H. R. 4080

To amend the Immigration and Nationality Act to establish a separate  
nonimmigrant classification for fashion models.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 5, 2007

Mr. WEINER introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend the Immigration and Nationality Act to establish  
a separate nonimmigrant classification for fashion models.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. ESTABLISHMENT OF NEW FASHION MODEL**

4                       **NONIMMIGRANT CLASSIFICATION.**

5               (a) IN GENERAL.—

6                       (1)       NEW       CLASSIFICATION.—Section  
7       101(a)(15)(P) of the Immigration and Nationality  
8       Act (8 U.S.C. 1101(a)(15)(P)) is amended—

9                       (A) in clause (iii), by striking “or” at the

10                      end;

(B) in clause (iv), by striking “clause (i), (ii), or (iii)” and inserting “clause (i), (ii), (iii), or (iv)”;

(C) by redesignating clause (iv) as clause (v); and

(D) by inserting after clause (iii) the following new clause:

“(iv) is a fashion model who is of distinguished merit and ability and who is seeking to enter the United States temporarily to perform fashion modeling services that involve events or productions which have a distinguished reputation or that are performed for an organization or establishment that has a distinguished reputation for, or a record of, utilizing prominent modeling talent; or”.

(2) AUTHORIZED PERIOD OF STAY; NUMERICAL LIMITATION.—Section 214(a)(2)(B) of the Immigration and Nationality Act (8 U.S.C. 1184(a)(2)(B)) is amended in the second sentence—

(A) by inserting “or fashion models” after “athletes”; and

(B) by inserting “or fashion model” after “athlete”.

1 (b) ELIMINATION OF H-1B CLASSIFICATION FOR  
2 FASHION MODELS.—Section 101(a)(15)(H)(i)(b) of such  
3 Act (8 U.S.C. 1101(a)(15)(H)(i)(b)) is amended—

4 (1) by striking “or as a fashion model”; and

5 (2) by striking “or, in the case of a fashion  
6 model, is of distinguished merit and ability”.

7 (c) EFFECTIVE DATE AND IMPLEMENTATION.—

8 (1) IN GENERAL.—The amendments made by  
9 this section shall take effect on the date of the en-  
10 actment of this Act.

11 (2) REGULATIONS, GUIDELINES, AND PRECE-  
12 DENTS.—The regulations, guidelines and precedents  
13 in effect on the date of the enactment of this Act for  
14 the adjudication of petitions for fashion models  
15 under section 101(a)(15)(H)(i)(b) of the Immigra-  
16 tion and Nationality Act (8 U.S.C.  
17 1101(a)(15)(H)(i)(b)), shall be applied to petitions  
18 for fashion models under section 101(a)(15)(P)(iv)  
19 of the Immigration and Nationality Act (8 U.S.C.  
20 1101(a)(15)(P)(iv)), as added by this Act, except to  
21 the extent modified by the Secretary of Homeland  
22 Security through final regulations (not through in-  
23 terim regulations) promulgated in accordance with  
24 the Administrative Procedures Act.

1           (3) CONSTRUCTION.—Nothing in this section  
2       shall be construed as preventing an alien who is a  
3       fashion model from obtaining nonimmigrant status  
4       under section 101(a)(15)(O)(i) of the Immigration  
5       and Nationality Act (8 U.S.C. 1101(a)(15)(O)(i)) if  
6       such alien is otherwise qualified for such status.

7           (4) TREATMENT OF PENDING PETITIONS.—Pe-  
8       titions filed on behalf of fashion models under sec-  
9       tion 101(a)(15)(H)(i)(b) of the Immigration and  
10      Nationality Act (8 U.S.C. 1101(a)(15)(H)(i)(b))  
11      that are pending on the date of the enactment of  
12      this Act shall be treated as if they had been filed  
13      under section 101(a)(15)(P)(iv) of the Immigration  
14      and Nationality Act (8 U.S.C. 1101(a)(15)(P)(iv)),  
15      as added by this Act.

16          (5) VISA VALIDITY PERIOD.—The validity pe-  
17      riod for visas issued to beneficiaries of petitions filed  
18      under section 101(a)(15)(P)(iv) of the Immigration  
19      and Nationality Act (8 U.S.C. 1101(a)(15)(P)(iv))  
20      shall be for the full period of approval notwith-  
21      standing the reciprocity validity periods that would  
22      otherwise be applicable.

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